

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCISCO RAMOS-RAMIERZ, :
INDIVIDUALLY AND ON BEHALF OF ALL :
OTHER SIMILARLY SITUATED :
Plaintiff, : ORDER OF DISCONTINUANCE
20 Civ. 5079 (GWG)
: :
-v.- :
: :
ALEX AUTO PARTS, INC. et al., :
: :
Defendants. :
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

This case contains claims under the Fair Labor Standards Act. On June 8, 2022, an order was issued on the parties' consent agreeing to disposition of this matter by the undersigned pursuant to 28 U.S.C. § 636(c). In various filings (Docket # 31, 33, 34), the parties have submitted their proposed settlement agreement for approval. Having reviewed the proposed settlement pursuant to Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the Court finds that it is fair and reasonable. The Court recognizes that this ruling differs from that issued on May 24, 2022 (Docket # 35). But in light of the fact that the release is limited exclusively to "causes of action and claims which were alleged in the Complaint," the Court views the release as coterminous with what exists anyway by operation of the doctrine of res judicata.

Accordingly, the settlement is approved and this action is dismissed with prejudice and without costs except as may be stated in the settlement agreement. The Court will retain jurisdiction to enforce the settlement agreement.

Any pending motions are moot. The Clerk is requested to close the case.

SO ORDERED.

Dated: June 9, 2022
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge